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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE-OPELOUSAS DIVISION

LESLEY HARROWER, ET AL	*	CIVIL ACTION NO. 04-0305
VERSUS	*	JUDGE DOHERTY
THE NATIONAL RAILROAD PASSENGER CORPORATION, ET AL	*	MAGISTRATE JUDGE HILL

**MEMORANDUM RULING**

Pending before this Court is a Motion to Continue Trial Date with Opposition [Doc. 197].

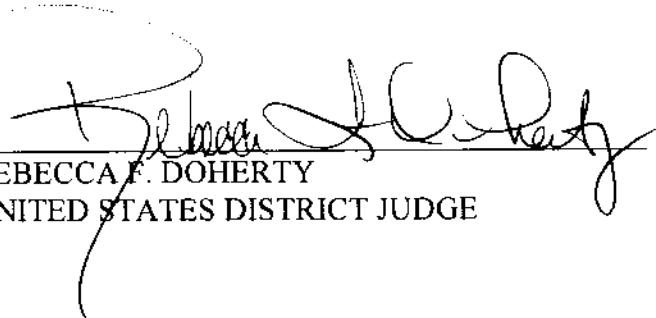
This Court DENIES the motion for the following reasons.

Plaintiffs request the trial date in this matter be continued because: (1) plaintiffs' expert witness has problems scheduling a deposition; and (2) more than one day will be required for this Court to entertain an evidentiary hearing. As to plaintiffs' suggestion that their expert will be unavailable for a deposition, this Court refers all parties to Magistrate Judge Hill's action on this issue wherein he ordered the plaintiffs' expert to appear at the May 4, 2007 deposition. [Doc. 196]. Consequently this Court, finding no error with the determination of the Magistrate Judge, finds no basis for continuing the trial date based on the scheduling problems related to the expert witness.

As to the dates required for an evidentiary hearing, this Court no longer has the scheduling difficulties discussed in the April 18, 2007 status conference because unrelated matters have been resolved. Thus, in the event the hearing requires more than one day, the parties are advised that the hearing shall continue through the week following May 25, 2007.

In view of the foregoing, this Court DENIES plaintiffs' Motion to Continue Trial Date with Opposition [Doc. 197].

THUS DONE AND SIGNED in Chambers, Lafayette, Louisiana, this 30 day of April,  
2007.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE